

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
CONSUMERS ENERGY COMPANY)	
for approval of a partial waiver of the billing practices)	Case No. U-18399
applicable to non-residential and gas customer rules)	
and approval of a customer selected due date program.)	
_____)	

At the June 15, 2017 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner
Hon. Rachael A. Eubanks, Commissioner

ORDER APPROVING APPLICATION

On May 24, 2017, Consumers Energy Company (Consumers) filed an application seeking a waiver of certain requirements of the Commission's Billing Practices Applicable to Non-Residential Electric and Gas Customers (Non-Residential Billing Rules), Mich Admin Code, R 460.1601 *et seq.*, and for the authority to continue the company's customer selected due date program (CSDDP) that offers certain customers an option to select the monthly due date for their natural gas and electric bills.

In its application, Consumers states that on April 14, 2014, Consumers filed an application in Case No. U-17597, requesting approval of its CSDDP, which is a voluntary program that offers certain residential and non-residential customers the option of selecting the specific monthly due date for their energy bills. In a May 13, 2014 order in Case No. U-17597, the Commission

approved Consumers' application, granted the requested 12-month waiver of Mich Admin Code, R 460.1615 (Rule 15) of the Non-Residential Billing Rules, and authorized the utility to operate its CSDDP for a 12-month period.

Consumers filed a second application concerning the CSDDP on April 17, 2015. In the second filing, which was docketed as Case No. U-17863, Consumers again requested a 12-month waiver of Rule 15 of the Non-Residential Billing Rules to allow for the continuation of the CSDDP. The Commission approved this request in its June 3, 2015 order in Case No. U-17863. In doing so, the Commission found that extending approval for the waiver of Rule 15 for another 12-month period was reasonable and in the public interest.

Consumers filed a third application concerning the CSDDP in Case No. U-17863 on August 21, 2015. In this application, Consumers requested the Commission's approval of amendments to the CSDDP "to allow additional customer participation in the Program." August 21, 2015 application, Case No. U-17863, p. 1. These changes were proposed because, given functionality improvements, Consumers had gained the ability to offer the program to budget, shut-off protection, and winter protection plan customers. To allow these additional customers to participate in the CSDDP, the utility needed Commission approval of amendments to its existing electric and gas tariff books to reflect the new eligibility of such customers. On October 7, 2015, the Commission approved Consumers' amended tariffs for the CSDDP.

Consumers filed a fourth application concerning the CSDDP in Case No. U-18052 on April 12, 2016. Consumers again requested a 12-month waiver of Rule 15 of the Non-Residential Billing Rules to allow for the continuation of the CSDDP. The Commission approved this request in an order issued on August 23, 2016, stating that extending approval for the waiver of Rule 15 was reasonable and in the public interest.

In its May 24, 2017 application, Consumers explained that the CSDDP remains closed to some customers, but is available to its electric and gas customers who volunteer to participate in the CSDDP and who have an advanced metering infrastructure (AMI) smart meter installed at their residence or business, with the remote-read capability enabled for all Consumers' services.¹

To continue its ability to offer the CSDDP to eligible customers, Consumers is requesting another 12-month waiver of Rule 15 of the Non-Residential Billing Rules for the limited purpose of the CSDDP. According to Consumers, "All customers would remain assured of having a period of no less than 16 days to pay their energy bill from the date the bill is sent, while simultaneously giving each customer greater control over their energy bill due dates." May 24, 2017 application, p. 6.

In the April 28, 2017 order in Case No. U-18120, the Commission approved the Consumer Standards and Billing Practices for Electric and Natural Gas Service, Mich Admin Code R 460.101 *et seq.* (Billing Rules), which amended and combined the Non-Residential and Residential Billing Rules. Under the new Commission-approved Billing Rules, Rule 20 states:

[a] utility shall send a bill each billing month to its customers pursuant to the approved schedules unless the utility and the customer agree to another billing interval or the commission approves an alternative billing frequency method. A utility shall send a bill to customers by mail unless the utility and the customer agree to another method of delivery.

¹ The CSDDP is not available to customers who take both electric and gas service from Consumers until both meters have been fully converted to AMI automated reads. Additional disqualifying criteria currently preclude enrollment of summary/collective billing customers, choice electric customers billed on a calendar-month basis, customers subject to dynamic pricing provisions, net metering customers, or other tariff provisions that require calendar billing. Also, natural gas customers on gas transportation or gas outdoor lighting rates are currently precluded from participation. Consumers states that it intends to review the eligibility limitations applicable to these electric and natural gas customers and anticipates expanding eligibility in the future when it becomes technically and administratively feasible to do so.

Thus, Consumers asserted, once the new Billing Rules are in effect, the customer will have the ability to agree to a new billing interval. Consumers stated that its requested waiver is only necessary until the new Billing Rules are effective.

Having considered Consumers' application, the Commission finds that extending approval for the waiver of Rule 15 of the Non-Residential Billing Rules for the limited purpose of the CSDDP, and approving continuance of the CSDDP for its customers, is reasonable and in the public interest. The waiver approval of Rule 15 is temporary, and shall be limited to the effective date of the new Billing Rules, or 12 months, whichever occurs first.

THEREFORE IT IS ORDERED that:

A. Consumers Energy Company's May 24, 2017 application for a temporary waiver of R 460.1615 of the Billing Practices Applicable to Non-Residential Electric and Gas Customers is approved until the Consumer Standards and Billing Practices for Electric and Natural Gas Service are effective, or for another 12-month period, whichever occurs first.

B. Consumers Energy Company's application to continue a customer selected due date program for its eligible electric and natural customers is approved for another 12-month period.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so by the filing of a claim of appeal in the Michigan Court of Appeals within 30 days of the issuance of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscdockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

Norman J. Saari, Commissioner

Rachael A. Eubanks, Commissioner

By its action of June 15, 2017.

Kavita Kale, Executive Secretary